

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

IN RE: SEIZURE OF \$11,850.00 IN
U.S. CURRENCY; and

FORTY MISCELLANEOUS
FIREARMS SEIZED ON JULY 17,
2018. (Described in Cat Nos. 18-
ATF-025088 through 18-ATF-
025174).

) **1:18 MC 110**
) Case No.
)
) JUDGE **JUDGE BOYKO**
)
) STIPULATION TO EXTEND TIME
) FOR THE UNITED STATES TO
) FILE A JUDICIAL COMPLAINT IN
) FORFEITURE

The parties to the above-referenced matter, the United States of America and Claimant William E. Draher (hereinafter collectively referred to as the “Parties”), each by undersigned counsel, or by authorized representative, agree as follows:

1. The above-captioned assets, (hereinafter referred to as “the Seized Currency and Firearms”), were seized by the Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”) on July 17, 2018, during the execution of a search warrant.
2. The ATF initiated administrative forfeiture proceedings against the Seized Firearms. Claimant William E. Draher filed a claim for the Seized Firearms on August 31, 2018. The ATF did not receive any further valid claims contesting the administrative forfeiture of the Seized Firearms.
3. Under 18 U.S.C. § 983(a)(3)(A), the United States must file a judicial complaint in forfeiture against a seized asset not later than 90 days after a valid administrative claim for the seized asset is filed. However, 18 U.S.C. § 983(a)(3)(A) also provides that a court may extend the period for filing a complaint for good cause shown or upon agreement of the parties.
4. Pursuant to 18 U.S.C. § 983(a)(3)(A), and absent an extension of time, the deadline for the United States to file a judicial complaint in forfeiture with respect to the Seized Firearms is November 29, 2018.
5. William E. Draher is represented by Peter T. Cahoon, Esq., Buckingham, Doolittle, & Burroughs, LLC, 3800 Embassy Pkwy, Suite 300, Akron, OH 44333. The Parties need additional time to discuss a possible resolution of the matter. Accordingly, the Parties wish to extend the time for the United States to file a judicial complaint in forfeiture against the Seized Currency and Firearms by 90 days, from November 29, 2018, to February 27, 2019.

STIPULATION TO EXTEND TIME FOR THE UNITED STATES TO FILE A JUDICIAL COMPLAINT IN FORFEITURE (Cont.)

6. The persons signing this Stipulation to Extend Time warrant and represent that they possess full authority to bind the persons or entities on whose behalf they are signing and that they are unaware of any other potential claimants to the Seized Currency and Firearms.

7. With respect to the Seized Currency and Firearms, the Parties agree to an extension of the period for filing a judicial complaint in forfeiture to **Febreuary 27, 2019**.

/s/Peter T. Cahoon (by email consent)
Peter T. Cahoon, Esq.
Buckingham, Doolittle, & Burroughs, LLC
3800 Embassy Pkwy, Suite 300
Akron, OH 44333
Phone: (330)376-5300

Executed this 8th day of November, 2018

Attorney for Claimant
William E. Draher

/s/Phillip J. Tripi
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Executed this 8th day of November, 2018

Attorney for the United States

IT IS SO ORDERED:

United States District Court Judge

Date